

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

COOK COUNTY, ILLINOIS;
THOMAS DART, COOK COUNTY
SHERIFF (in his official capacity);
TONI PRECKWINKLE, COOK COUNTY
BOARD PRESIDENT (in her official capacity);
COOK COUNTY BOARD OF
COMMISSIONERS (in their official capacity),

Defendants.

No. 10 C 2946

Judge Virginia Kendall

MOTION FOR AUTHORITY TO RETAIN PATRICIA L. HARYDMAN, Ph.D.

NOW COMES the Sheriff of Cook County, by and through his attorneys, Daniel F. Gallagher and Querrey & Harrow, Ltd., and pursuant to F.R.C.P. 16(c)(2)(P) moves the Court for an order to permit the hiring of Patricia L. Hardyman, Ph.D. as a classification consultant, and in support thereof, states as follows:

1. A significant portion of the consent order entered by this Court on May 26, 2010 concerns the maintenance of policies and procedures for an appropriate, objective classification system that separates inmates in housing units by classification levels in order to protect inmates from unreasonable risk of harm.

2. The classification system which was in place at the time of the entry of the consent decree has been reviewed from top to bottom to determine how it can be

improved and to allow for internal and external review and validation of the system to ensure its reliability and objectivity.

3. In that regard, the Sheriff of Cook County requested technical assistance from the National Institute of Corrections Jails Division to provide an assessment of the Cook County Department of Corrections' classification system. The assessment was done by Patricia L. Hardyman, Ph.D., an expert in jail classification.

4. On January 31, 2011, Dr. Hardyman delivered her technical assistance report to the Sheriff through the coordination of the National Institute of Corrections.

5. As a result of Dr. Hardyman's assessment, it became clear that a complete overhaul of the classification system was necessary in order to achieve compliance with the consent order entered by this Court.

6. A working group was formed in order to improve the custody assessment instruments used for classification and to improve the sources of information used for scoring risk factors. In addition, the work group felt it necessary to devise and development a classification manual to document the classification procedures, risk factoring scoring, offense severity, and disciplinary severity scales. Furthermore, once a manual and process is developed, a systematic audit and monitoring system must be developed in order to measure the validity of the classification system. Although there has been progress made by the work group in overhauling the classification system, it has become apparent that additional expertise is needed in developing a long term reliable classification system capable of validation.

7. Unless the Sheriff is able to retain outside consultants such as Patricia L. Hardyman, Ph.D., it is his belief that it will be impossible to comply with the classification provisions of the Agreed Order within the timeframe envisioned by the order.

8. The Sheriff seeks authority to retain the services of Patricia L. Hardyman, Ph.D. as a consultant for the purpose of compliance with the Agreed Order and an order requiring the County to allocate sufficient funds for compensating Dr. Hardyman for her services.

WHEREFORE, the Sheriff of Cook County respectfully moves the Court to authorize the hiring of Dr. Patricia L. Hardyman, Ph.D. as a classification consultant and for the allocation of funds to compensate her for her services.

Respectfully submitted,

Thomas J. Dart,
Sheriff of Cook County

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